



City of Loma Linda Official Report

Floyd Petersen, Mayor
Stan Brauer, Mayor pro tempore
Robert Christman, Councilmember
Robert Ziprick, Councilmember
Charles Umeda, Councilmember

COUNCIL AGENDA: February 14, 2006
TO: City Council
VIA: Dennis R. Halloway, City Manager
FROM: Pamela Byrnes-O'Camb, City Clerk
SUBJECT: Minutes of January 24, 2006

RECOMMENDATION

It is recommended that the City Council approve the Minutes of January 24, 2006.

City of Loma Linda

City Council Minutes

Regular Meeting of January 24, 2006

A regular meeting of the City Council was called to order by Mayor Petersen at 7:08 p.m., Tuesday, January 24, 2006, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:

Mayor Floyd Petersen
Mayor pro tempore Stan Brauer
Robert H. Christman
Robert Ziprick
Charles Umeda

Councilman Absent:

None

Others Present:

City Manager Dennis Halloway
City Attorney Richard E. Holdaway

Planning Commissioner David C. Varnam led the invocation and Councilman Christman led the Pledge of Allegiance.

No items were added or deleted.

CC-2006-012 – Oral Reports/Public Participation

James Fonseca, 24214 Khan Drive indicated that the residents of Laurel Heights opposed any change of density for property located on the corner of Barton Road and Oakwood Drive as it related to the General Plan.

Scheduled and Related Items

CC-2006-013 – Presentation of Proclamation – “A Day for Hearts: Congenital Heart Defect Awareness Day” February 14, 2006

Mayor Petersen summarized the proclamation and presented it to Suzy Yanez, whose son, Tanner, although born with a heart defect was a healthy four-year old as a result of early intervention at the Loma Linda Children's Hospital.

CC-2006-014

CRA-2006-005 – Joint meeting of the City Council and Redevelopment Agency regarding Mid-Year Budget Review

The Redevelopment Agency reconvened at 7:15 p.m. with all members present.

Finance Director DeAnda presented the report and highlighted various aspects by way of a PowerPoint presentation. She explained that:

- 1) The General Fund's beginning cash balance was higher than projected due to higher sales tax and motor vehicle in lieu fees as well as early repayment of the 2003 State VLF gap loan.
- 2) Revenues were proposed to increase by \$593,000 due to increases in sales tax, building permits, and motor vehicle in-lieu fee.
- 3) Additional expenditures totaling \$371,900 were requested for: PERS benefits; communications; fuel, gas & electric; consulting and professional services relating to recycling, building/engineering inspection and plan checks, and the general plan update; a new parcels and permits software program; and Civic Center repairs and landscaping.
- 4) The ending available cash balance for fiscal year 2005-2006 was projected to increase by \$1,000,500.
- 5) The beginning available cash balance for the City was \$53,650 lower than projected as a result of a combination of increases and decreases in projected General Fund, Grant Funds, Development Agreement Consideration, and Development Impact Fees.
- 6) Expenditures were being increased by \$539,700 due to increases in the General Fund, Water Fund and Loma Linda Connected Community Program.
- 7) The Development Agreement Consideration (housing) Fund was being reduced in that anticipated payments were delayed, but were expected to occur in fiscal year 2006-2007.
- 8) Ending available cash balance for fiscal year 2005-2006 was projected to decrease by \$994,550.
- 9) The Redevelopment Agency's beginning available cash balance was \$870,093 higher than projected due to higher tax increment and interest earnings.
- 10) Revenues were being increased by \$16,534,500 due to higher tax increment and bond proceeds.

11) Expenditures were being increased by \$7,607,600 for the Civic Center solar panel project; street improvements at Orange Grove and Academy, Cole Street, Mt. View Bridge widening, and Beaumont Avenue Bridge; Barton Road storm drain and median; Benton Street storm drain between the UPRR and San Timoteo Creek; sidewalks along Redlands Boulevard and in the North Central Neighborhood; gate at Hulda Crooks Park; diesel tanks at the Corporation Yard; and automation of fuel tanks.

12) The ending available cash balance for fiscal year 2005-06 was projected to increase by \$9,796,993 primarily consisting of bond proceeds.

She then recommended that the revenue appropriation and additional expenditure requests be approved, including a loan from the Redevelopment Agency to the City for the Loma Linda Connected Community Program.

City Manager Holloway responded to questions pertaining to the Civic Center Solar Panel and Connected Community Programs, stating that in an effort to conserve energy, solar panels would be placed on the roofs of the Civic Center, Fire Station, Library, and Senior Center; that the expansion of the Connected Community Program was anticipated to extend westerly to Oakwood Drive.

Councilman Christman asked that the Budget Committee review the report and submit a recommendation.

By common consent roof repairs to the Civic Center Complex were approved, with the remaining expenditure items being referred to the Budget Committee.

The Redevelopment Agency recessed to allow completion of the City Council Agenda.

CC-2006-015 – Presentation regarding the proposed Initiative as it relates to the Land Use Element of the General Plan

Mayor pro tempore Brauer declared a possible conflict of interest relating to the South Hills portion of the General Plan due to the close proximity of his residence to the South Hills area.

City Attorney Holdaway indicated that Mayor pro tempore Brauer previously disqualified himself from discussion relating to the South Hills portion of the General Plan Update because his residence was within the 300-foot radius of the area of discussion. To the extent that the proposed Initiative specifically addressed the South Hills area, Mayor pro tempore Brauer would disqualify himself; however, when the General Plan came to the Council for overall review, he could participate.

Councilman Ziprick stated that several meetings had occurred with the Save Loma Linda group, some of which some Council Members attended. He then asked Kathy Glendrange, 26551 Beaumont Avenue, and Glenn Elssmann, 25815 Business Center Drive, to provide a status report. Mrs. Glendrange stated that the Save Loma Linda group had met with Mr. Elssmann and other developers to discuss the South Hills; progress was made toward a compromise; in order to continue productive discussions and to avoid a contentious meeting debating the proposed Initiative and other hillside plans, she suggested that the presentation be continued to either February 14 or February 28. Mr. Elssmann confirmed that progress was being made in understanding the commonality in goals and objectives, with concurrence reached regarding key areas of the South Hills and agreed with the request to continue the item.

Councilman Christman requested that a date be established to consider and vote on the General Plan in its entirety. Councilman Umeda commented that should a consensus be reached regarding the South Hills, other issues, such as traffic and lot size, required resolution before the Initiative would be set aside. He then suggested that the item be continued to February 14 and that if resolution on the South Hills was reached, presentation on the remaining issues be made. Mrs. Glendrange noted that traffic level of service on a citywide basis was an important part of the Initiative.

Councilman Ziprick commented that the Initiative not only addressed the South Hills, but also other areas of the City; therefore, if agreement were reached, perhaps the Initiative would be terminated.

Mrs. Glendrange stated that she was not prepared to terminate the Initiative because of the year and a half spent in drafting it and because it addressed growth management issues. She conceded that should a compromise be reached relating to the South Hills, the Initiative would change.

Councilman Christman suggested that a full presentation be made on February 14 and that the General Plan be discussed, including the area opposed by the Laurel Heights residents. Councilman Umeda suggested that should a compromise be reached for the South Hills area, that the compromise be included in the presentation.

Community Development Director Woldruff indicated that updated information regarding traffic was expected and suggested that the Save Loma Linda presentation be scheduled for February 14 with the General Plan being scheduled for February 28.

Motion by Ziprick, seconded by Christman, and unanimously carried to schedule the presentation relating to the Initiative for February 14 and discussion of the General Plan Update for February 28.

CC-2006-016

CRA-2006-006 – Joint Public Hearing of the City Council and Redevelopment Agency pertaining to the sale of property and approving a Housing Disposition Agreement between Nixon and Roshally Hutabarat and the City/Agency regarding 25502 Portola Loop

- a. Council Bill #R-2006-01 – Authorizing sale of 25502 Portola Loop by the Agency
- b. CRA Bill #R-2006-02 – Authorizing the sale of 25502 Portola Loop and approving the Housing Disposition Agreement

The Agency Board reconvened at 8:03 p.m. with all members present. The public hearing was opened and Mayor Petersen chaired the item.

The City Clerk presented the report stating that the subject house was one of 35 houses in the Parkside Development on which an affordability covenant was recorded. The owner relocated for employment and the Agency purchased it to protect the covenant. A new buyer had been qualified and financing had been obtained. The Agency, through its First Time Homebuyer's Program would provide down payment assistance in the amount of \$31,000 and the term of the affordability covenant would be modified to reflect current law of 45 years. She then asked that the proposed resolutions be adopted.

No other public testimony was offered and the public hearing was closed. Councilman Christman suggested that because there was not an existing homeowners association, language be included in the agreement that should a homeowners association be formed, the Hutabarats would not oppose its formation.

Motion by Ziprick, seconded by Umeda and unanimously carried to adopt Council Bill #R-2006-01 and to include language in the Agreement that the Hutabarats would not oppose the formation of a homeowners association.

Resolution No. 2427

A Resolution of the City Council of the City of Loma Linda consenting to the approval and execution by the Loma Linda Redevelopment Agency of an Agreement for the disposition of property for affordable housing use with Nixon Hutabarat and Roshally Hutabarat (25502 Portola Loop)

Motion by Petersen, seconded by Brauer and unanimously carried to adopt CRA Bill #R-2006-02 and to include language in the Agreement that the Hutabarats would not oppose the formation of a homeowners association.

Resolution No. 256

A Resolution of the Loma Linda Redevelopment Agency approving and authorizing the execution of an Agreement for the disposition of property for affordable housing use with Nixon Hutabarat and Roshally Hutabarat (25502 Portola Loop)

The Agency Board recessed at approximately 8:14 p.m. to allow completion of the City Council Agenda.

CC-2006-017 – Consent Calendar

Motion by Christman, seconded by Ziprick and unanimously carried to approve the following items:

The Demands Register dated January 24, 2006 with commercial demands totaling \$1,942,784.19.

The Minutes of January 10, 2006 as presented.

Council Bill #R-2006-02.

Resolution No. 2428

A Resolution of the City Council of the City of Loma Linda, approving the Subdivision Agreement for Final Tract Map 15738 (southerly end of Lilac Street and westerly ends of Lane and State Streets)

Installation of a 20-inch line stop and replacement of existing 20-inch water valves by Dominguez General Engineering as complete and recordation of a Notice of Completion.

Drainage Easement Realignment relating to Parcel Map 14220 in the 24500 block of Lawton Avenue, east side, south of Lawton Court.

CC-2006-018 – Request from Loma Linda University Children’s Hospital to donate a street name for auction at the 13th Annual Wish Upon a Star gala scheduled for February 26

Mayor Petersen, Mayor pro tempore Brauer, and Councilman Ziprick declared possible conflicts of interest because of their affiliation with the Medical Center. The Rule of Necessity was invoked, resulting in Mayor Petersen sitting to constitute a quorum and voting. Mayor pro tempore Brauer and Councilman Ziprick left the Council table.

Motion by Christman, seconded by Umeda and carried to donate a street name for auction at the Loma Linda Children’s Hospital gala.

Mayor pro tempore Brauer and Councilman Ziprick returned.

Old Business

CC-2006-019 – General Plan Update

- a. Adopt and Approve the Findings for Statements of Overriding Considerations (pursuant to CEQA Guidelines Sections 15043, 15091, 15092, and 15093) for the significant unavoidable adverse impacts related to Air Quality, Loss of Open Space, Biological Resources, Water Supply, and Traffic and Circulation that would result from implementation of the General Plan (October 2005)
- b. Council Bill #R-2005-55 - Approve and Certify the Final Program Environmental Impact Report (FEIR), which includes the Draft EIR, Response to Comments, and Mitigation Monitoring Program based on the Findings
- c. Council Bill #R-2005-57 - Approve and Adopt all Elements of the Draft General Plan (October 2005), as follows:
 1. Introduction To the General Plan Elements (Element 1.0)
 2. Land Use Element (Element 2.0) including consideration of
 - a. Proposed Initiative
 - b. Proposed Alternative to the South Hills Designation (Alternative 2
 - c. December 6, 2005 proposed South Hills Designation (Alternative 3)
 3. Community Design Element (Element 3.0)
 4. Economic Development Element (Element 4.0)
 5. Housing Element (Element 5.0)
 6. Transportation And Circulation Element (Element 6.0)
 7. Noise Element (Element 7.0)
 8. Public Services And Facilities Element (Element 8.0)
 9. Conservation And Open Space Element (Element 9.0)
 10. Public Health And Safety Element (Element 10.0)
 11. General Plan Implementation Programs Element (Element 11.0)

Motion by Ziprick, seconded by Christman and unanimously carried to continue the item to February 28.

New Business

CC-2006-020 – General Municipal Election June 6, 2006

- a. Council Bill #R-2006-03 – Calling and Giving Notice for the June 6, 2006 General Municipal Election to elect certain officers and to submit questions to the voters relating to the University Village and Orchard Park Specific Plans
- b. Council Bill #R-2006-04 – Providing for the filing of rebuttal arguments for measures relating to the University Village and Orchard Park Specific Plans

- c. Council Bill #R-2006-05 – Setting priorities for filing written arguments regarding the measures relating to the University Village and Orchard Park Specific Plans and directing the City Attorney to prepare an impartial analysis
- d. Council Bill #R-2006-06 – Adopting regulations for candidates for elective office

The City Clerk presented the report, stating that the Council seats now held by Council Members Petersen, Ziprick and Umeda were available; the nomination period began February 13 and ended on March 10. Statements of Economic Interest were required to be filed at the time of submittal of nomination papers. In addition to the City Council election of two four-year terms and one two-year term, two measures relating to the Orchard Park and University Village Specific Plans would also be on the ballot. Arguments in favor or against the measures were due by Friday, March 17 and the rebuttal arguments were due by Friday, March 24. Council Bill #R-2006-05 granted the City Council priority in filing written arguments. Unless the City Council took other action, Resolution 2206, providing for a runoff election in case of a tie vote was in effect. She then responded to questions.

Motion by Brauer, seconded by Christman and unanimously carried to adopt Council Bill #R-2006-03

Resolution No. 2429

A Resolution of the City Council of the City of Loma Linda, California, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, June 6, 2006, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities and for the submission to the voters questions relating to the University Village and Orchard Park Specific Plans

Motion by Christman, seconded by Ziprick and unanimously carried to adopt Council Bill #R-2006-04.

Resolution No. 2430

A Resolution of the City Council of the City of Loma Linda, California, providing for the filing of rebuttal arguments for City measures submitted at municipal elections

Motion by Christman, seconded by Brauer and unanimously carried to adopt Council Bill #R-2006-05.

Resolution No. 2431

A Resolution of the City Council of the City of Loma Linda, California, setting priorities for filing written argument(s) regarding City measures and directing the City Attorney to prepare an impartial analysis

Motion by Brauer, seconded by Christman and unanimously carried to adopt Council Bill #R-2006-06.

Resolution No. 2432

A Resolution of the City Council of the City of Loma Linda, California, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, June 6, 2006

CC-2006-021 – Authorization to proceed with the establishment of Railroad Quiet Zones

Director of Public Works Thaipejr presented the report, stating that at the last City Council meeting a feasibility study was presented for the Beaumont Avenue and Whittier Avenue at grade crossings. Cost of installation of the safety measures was estimated to be \$1.5 million with design and installation being completed within approximately 18 months. The Railroad would install the safety measures and maintain them, with the City assuming all liability and paying an annual maintenance fee. He then responded to questions.

It was suggested that request be made to SANBAG and IVDA to contribute a portion of the cost. Councilman Christman suggested that the City proceed with establishing Railroad Quiet Zones and that he, as representative to both SANBAG and the IVDA, would work with the City Manager and those agencies to obtain assistance with the expenditures.

Councilman Ziprick asked the City Attorney to obtain a copy of the Quiet Zone Law and to contact the City's legislative representative to ascertain if any modifications regarding maintenance costs were proposed.

Motion by Christman, seconded by Ziprick and unanimously carried to authorize Staff to proceed with the establishment of railroad crossing quiet zones at the Beaumont Avenue and Whittier Avenue crossings.

Reports of Councilmen

Councilman Christman reported that the Appellate Court in Riverside rejected the appeal from the Sierra Club to stop the Measure I tax for transportation improvements in San Bernardino County.

Councilman Ziprick asked for a status report on the widening of the Mt. View Avenue Overcrossing, and Director of Public Works Thaipejr responded that plans had been submitted to Caltrans; negotiations were underway for purchase of right-of-way from the owner of the easterly slope; and that a grant was received with the proviso that the City participate with 20 percent local match funds.

Mayor pro tempore Brauer asked about the Beaumont Avenue Bridge and Mr. Thaipejr responded that the County awarded the contract; construction was expected to begin in March 2006 with completion expected within nine months. Councilman Christman stated that the IVDA would consider contributing \$150,000 toward the construction of the Beaumont Avenue Bridge at its meeting of January 25.

Mayor Petersen asked about the status of the San Timoteo Creek Channelization Project and when FEMA would lift the requirement for flood insurance. Mr. Thaipejr stated that construction had been completed; the County would be filing a Notice of Completion and the required documentation to FEMA; FEMA would then modify the Flood Zone Maps, a process that would take approximately one year.

Mayor Petersen also asked about the status of the Anderson Street/I-10 Interchange and asked that a representative from SANBAG make a presentation, including a design of the proposed changes. He also asked that Staff look into the possibility of regulating certain breeds of dogs, such as pit bulls.

The meeting adjourned at 8:47 p.m.

Approved at the meeting of

City Clerk